

1 LIONEL Z. GLANCY (#134180)  
2 GLANCY BINKOW & GOLDBERG LLP  
3 1801 Avenue of the Stars, Suite 311  
4 Los Angeles, California 90067  
5 Telephone: (310) 201-9150  
6 Facsimile: (310) 201-9160

7  
8 Attorneys for Plaintiff I.B.L. Investments, Ltd.  
9

10  
11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14

15 I.B.L. INVESTMENTS, LTD., Individually  
16 and On Behalf of All Others Similarly  
17 Situated,

18 Plaintiff,

19 v.

20 TERAYON COMMUNICATION  
21 SYSTEMS, INC., ZAKI RAKIB, JERRY D.  
22 CHASE, MARK A. RICHMAN and  
23 EDWARD LOPEZ,

24 Defendants.

25 No. C 06-03936 MJJ  
26 Hon. Martin J. Jenkins

27  
28 **NOTICE OF FILING PROOF OF  
SERVICE OF SUMMONS WITH  
DECLARATION RE:DUE DILIGENCE  
ATTACHED ON DEFENDANT JERRY  
D. CHASE**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff I.B.L. INVESTMENTS, LTD. hereby submits the  
3 attached Proofs of Service of Summons with Declaration Re:Due Diligence attached on  
4 Defendant Jerry D. Chase..

5 A copy of this Notice has been sent to all parties on the attached Proof of Service.

6 Dated: October 11, 2006

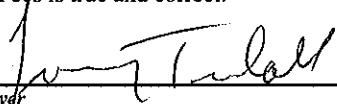
7 **GLANCY BINKOW & GOLDBERG LLP**

8 By: S/Lionel Z. Glancy  
9 Lionel Z. Glancy

10 1801 Avenue of the Stars, Suite 311  
11 Los Angeles, California 90067  
12 Telephone: (310) 201-9150  
13 Facsimile: (310) 201-9160

14  
15 *Attorneys for Plaintiff*

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 9/25/2006	
NAME OF SERVER (PRINT) Larry Tisdall	TITLE Registered Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: <input type="checkbox"/> Returned unexecuted:  <input checked="" type="checkbox"/> Other (specify): I left copies at the defendant's place of business. His coworker, Mark Richman, accepted service on behalf of Jerry Chase at: Terayon Communications Systems, Inc 2450 Walsh Ave., Santa Clara, CA		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>9/25/2006</u> Date	 <i>Signature of Server</i>	
<u>75 Columbia Sq., San Francisco, CA 94103</u> <i>Address of Server</i>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

1  
2  
3 **DECLARATION RE: DUE DILIGENCE**

4 I, THE UNDERSIGNED, DECLARE THAT:

5 I am over the age of eighteen years, and not a party to the within entitled action.  
6 My business address is Western Attorney Services, located at 75 Columbia Square, San  
7 Francisco, California, 94103.

8 In my capacity as a process server, I have attempted to personally serve a  
9 summons and complaint on Jerry Chase. **I am unable to effect personal service.** My  
attempts to serve the defendant are as follows:

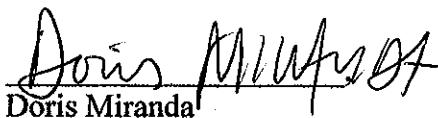
10 September 11, 2006, at 3:30 PM at 4988 Great America Parkway, Santa Clara, CA:  
11 Attempted service at the above address and discovered the company moved.

12 September 21, 2006 at 12:45 PM at 2450 Walsh Ave., Santa Clara, CA 95051:  
13 This is the correct address for Terayon Communications Systems, Inc., but Jerry Chase  
was not in the office today.

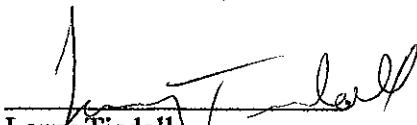
14 September 22, 2006 at 4:15 PM at 2450 Walsh Ave., Santa Clara, CA 95051:  
15 Jerry Chase was not available at this time.

16 September 25, 2006 at 10:10 AM at 2450 Walsh Ave., Santa Clara, CA 95051:  
17 Jerry Chase was not in the office. At this time I was able to sub serve Jerry Chase by  
18 leaving documents with his coworker, Mark Richman, who was authorized to accept on  
behalf of Jerry Chase. Also, copies of the same documents were mailed to this same  
address.

19 I declare under the penalty of perjury under the laws of the State of California,  
20 that the foregoing is true and correct, and that this declaration was executed on  
September 25, 2006, at San Francisco, California.

21   
22 Doris Miranda

23 Western Attorney Services

24   
25 Larry Tisdall

26 Western Attorney Services

27

28

**PROOF OF SERVICE BY ELECTRONIC POSTING  
PURSUANT TO NORTHERN DISTRICT OF CALIFORNIA LOCAL RULES AND  
ECF GENERAL ORDER NO. 45  
AND BY MAIL ON ALL KNOWN NON-REGISTERED PARTIES**

I, the undersigned, say:

I am a citizen of the United States and am employed in the office of a member of the Bar of this Court. I am over the age of 18 and not a party to the within action. My business address is 1801 Avenue of the Stars, Suite 311, Los Angeles, California 90067.

On October 11, 2006, I served the following by posting such documents electronically to the ECF website of the United States District Court for the Northern District of California:

**1 NOTICE OF FILING PROOF OF SERVICE OF SUMMONS WITH  
DECLARATION RE:DUE DILIGENCE ATTACHED ON  
DEFENDANT JERRY D. CHASE**

on all ECF-registered parties in the action and, upon all others not so-registered but instead listed below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, California. They are:

Terayon Communication Systems, Inc.  
4988 Great America Parkway  
Santa Clara, CA 95054

Jerry D. Chase  
c/o Terayon Communication Systems, Inc.  
4988 Great America Parkway  
Santa Clara, CA 95054

Zaki Rakib  
c/o Terayon Communication Systems, Inc.  
4988 Great America Parkway  
Santa Clara, CA 95054

Mark A. Richman  
c/o Terayon Communication Systems, Inc.  
4988 Great America Parkway  
Santa Clara, CA 95054

Edward Lopez  
c/o Terayon Communication Systems, Inc.  
4988 Great America Parkway  
Santa Clara, CA 95054

Santa Clara, CA 95054

Executed on October 11, 2006, at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.

S/Kyaa D. Heller  
Kyaa D. Heller